

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

JULY 16, 2007

Roll Call

President William D. Beagle called to order the regular meeting of the Tipp City Council at 7:30 p.m. Roll call showed the following Council Members present: Rick Mains, Jr., Vickie K. Blakey, Donald H. Ochs, President William D. Beagle, Mayor George H. Lovett, Tim Evans, and Patrick Hale.

In attendance: Assistant City Manager Bradley C. Vath, Law Director Joseph P. Moore, Utilities Director M. J. Eichman, Assistant Utilities Director Christy Butera, Fire Chief Steve Kessler, *Dayton Daily News* reporter Nancy Bowman, *Tipp Herald* reporter Mike Kelly and Clerk of Council Misty Cheshire.

Citizens signing the register included: Jeanne H. Parsons, Betty M. Beery, Scott Wright, Eric Eidemiller, Glenda Duff, Mark G. Lee, Jake Roberts, Jake Dziedzic, Joe Bagi, Elden Eidemiller, Dustin Eisel, Doris Dodd, and Joseph Kourne.

Invocation and Pledge of Allegiance

Mayor Lovett delivered the invocation. President Beagle led the Pledge of Allegiance.

Approval of Agenda

The agenda was unanimously approved with a motion made by Mr. Ochs, seconded by Mr. Hale.

Adoption of Minutes

Mr. Ochs moved, seconded by Mayor Lovett, to adopt the minutes of the June 18, 2007 Pre-Meeting Study Session. The motion carried with a vote of 7-0.

Mayor Lovett moved to adopt the minutes of the June 18, 2007 City Council Meeting, seconded by Mr. Hale. The motion carried with a vote of 7-0.

Mr. Ochs moved, seconded by Mr. Hale, to adopt the minutes of the June 18, 2007 Post-Meeting Study Session. The motion carried 7-0.

Proclamations

Red Hat Society Week

Mayor Lovett presented a proclamation to the Tipp City Merchants Association proclaiming the week of August 14-18 as Red Hat Society Week in Tipp City.

Ordinances**(Second Reading and Public Hearing)**Ordinance ~~20-07~~ 22-07
Menards Subdivision

The following ordinances were presented to City Council for second reading and public hearing.

Ordinance 22-07: An ordinance approving the final plat of the Menards Commercial subdivision.

Clerk of Council Summary: Planning Board has reviewed and recommended approval of the subdivision and final plat for this 66.56 acre development to be known as Menards Commercial Park.

Assistant City Manager Report: This subdivision, originally Tipp Interstate Park, will become the Menards Commercial Park. Mr. Vath noted that a total of 66.56 acres were being covered by this replat

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including properties previously rezoned Office Service (OS) and R-3 Residential. He noted that this should be the final step necessary for the Menards project to move forward. This subdivision will create six new lots. Mr. Vath noted that the subdivision provides for the completion and extensions of Kinna Drive, Harmony Drive, Larch Street and Weller Drive. Mr. Vath reported that the traffic impact study suggested a "bump-out" be located south of the intersection of Weller and Harmony Drive. Mr. Vath then outlined unique provisions in the Construction/Subdivider's agreement.

President Beagle asked where the trucks would enter the Menards complex. Mark Lee expected most truck traffic to enter from County Road 25-A as well as Weller and Kinna Drives. With the City's approval, Menards would direct trucks to enter from Kinna Drive. Mr. Lee stated that no vehicles will be permitted to exit on Weller Drive. President Beagle asked if deliveries would be made at the rear of the building. Mr. Lee confirmed that all deliveries would be in the rear of the building.

President Beagle asked when construction would begin. Mr. Lee stated that ground breaking could occur as soon as the end of August. Mr. Lee thanked everyone involved in the project. President Beagle stated that he has only heard positive comments about the project.

There being no additional comments, Mr. Hale sponsored this ordinance and moved for its adoption, seconded by Mr. Mains. The motion unanimously carried. Ordinance 22-07 was declared passed and President Beagle affixed his signature in witness thereto.

The following resolution was presented to City Council for adoption.

Resolution 26-07: A resolution authorizing the City Manager to apply for and administer a grant from the office of the Attorney General, State of Ohio, for matching funds to defray up to 50% of the cost of the D.A.R.E. Officer's salary.

Clerk of Council Summary: This legislation authorizes the filing of a grant application to reimburse certain expenses incurred in Tipp City's DARE program for the 2007/2008 school year.

Assistant City Manager Report: Mr. Vath noted that this was the third year that the City would be applying for these grant funds. Under the grant, the City would receive reimbursement for up to 50% of the officer's base wages, which next year should offset just under \$18,950 in expenses. The application deadline is August 24, 2007.

There being no further discussion, President Beagle sponsored this resolution and moved for its adoption, seconded by Mr. Evans. The motion unanimously carried. Resolution 27-07 was declared passed and President Beagle affixed his signature in witness thereto.

The following ordinances were presented to City Council for first reading. The second reading and public hearing will occur at the August 6, 2007 meeting.

**Resolution
(One Reading
Required)**
Resolution 26-07
DARE Grant

**Ordinances
(First Reading)**

Sylvester/Blair
Subdivision

Mr. Ochs sponsored an ordinance approving the replat of part of Inlot 2629 and Inlot 2631 and accepting public right-of-way.

Clerk of Council Summary: This ordinance accepts the existing highway easement as right-of-way for the Sylvester/Blair subdivision at 375 and 425 East Evanston Road.

Assistant City Manager Report: Mr. Vath noted that this subdivision would not create any new Inlots and only transferred adjacent property from Mr. Blair to Mr. and Mrs. Sylvester. This subdivision will dedicate the former highway easement into right-of-way along Evanston Road west of I-75.

Restoration District
Appeals Modification

Mr. Hale sponsored an ordinance amending Code 154.052(M) of the Tipp City, Ohio Code of Ordinances to modify the circumstances and procedures for appeals of decisions of the Restoration and Architectural Board of Review.

Clerk of Council Summary: This Ordinance is recommended by the Restoration Board and staff to make the appeal procedure for the Restoration Board decisions consistent with the appeal provisions for the other Boards and Commissions.

Assistant City Manager Report: The current appeal procedure in code is more restrictive than the other existing appeal procedures for other boards and commissions. This code amendment would create parity between the appeal procedures for the City's boards and commissions.

Motions
BZA Appeal
Case 06-07

Mr. Ochs moved to schedule a public hearing on August 6, 2007 for an appeal of BZA Case 06-07 regarding 17 North Fourth Street, seconded by Mayor Lovett. The motion unanimously carried.

Eidemiller Rezoning

Mr. Evans moved to schedule a public hearing on August 20, 2007 to consider the rezoning of the Eidemiller property located on part of Inlot 2392 at 610 West Kessler-Cowlesville Road, seconded by President Beagle. The motion carried with a vote of 7-0.

City of Tipp City
Rezoning

Mr. Ochs moved to schedule a public hearing on August 20, 2007 to consider the rezoning of Inlot 4049 (+/-23 acres) on East Main Street owned by the City of Tipp City, seconded by Mr. Evans. The motion unanimously carried.

Gardinette Rezoning

Mayor Lovett moved to schedule a public hearing on August 20, 2007 to consider the rezoning of the Grandinette property located on Inlot Part Inlot 854 & Part Outlot 65 located at 321 North Fourth Street, seconded by Mr. Hale. The motion carried with a vote of 7-0.

Agricultural District
Renewal

President Beagle moved to schedule a public hearing on August 6, 2007 to consider the renewal of an agricultural district for two tracts of land owned by Leshar Farms Ltd, seconded by Mr. Evans. The motion carried with a vote of 7-0.

**Park Board
Resignation**

Mayor Lovett moved, seconded by Mr. Ochs, to accept the resignation of Ms. Becky Janosik from the Park Advisory Board. City Council unanimously accepted Ms. Janosik's resignation and directed the Clerk to advertise the vacancy.

**Special Council
Meeting**

Mr. Evans moved to set a special Council meeting with the Monroe Township Trustees on Monday July 30th, 2007 at 5 p.m. in the Monroe Township Building, seconded by Mr. Mains The motion carried by a vote of 7-0.

Citizen Comments

Jake Roberts, 203 N. Second Street, stated that he and his friends play Ultimate Frisbee at City Park after they get off work (between 10:30 p.m. and 1 a.m.) Sgt. Mauro advised the group that the park closes at 11 p.m. and suggested that the group contact City Council to determine if they can play Frisbee after the park closes. He noted that fisherman can call the police and leave their license plate number with the police department and they are permitted to fish while the park is closed. He asked if a similar procedure could be put in place for their group.

Mr. Vath noted that this issue would typically be referred to the Parks Advisory Board but they will not meet again until September. He stated that he would have the City Engineer refer that matter to the Park Board and would speak with the Police Department about this request.

President Beagle stated that the City Engineer will contact the Police Department and try to come up with an interim solution until the Board meets.

**Council Member
Comments**

Mr. Hale noted that the City has two openings on the Parks Advisory Board and encouraged citizens to volunteer. He thanked everyone who participated in the America in Bloom program.

Mayor Lovett thanked the America in Bloom Committee. He noted that the City's firework display was a success and thanked Pyrotechnico for their services. Mayor Lovett thanked the Monroe Township Trustees for their contribution to the firework display.

Mr. Ochs stated that Jack Clasen, an AIB judge, stated that Tipp City has the best example of the municipality working with the community jointly, which is the goal of AIB.

President Beagle thanked Mr. Vath for sitting in for Mr. Collinsworth.

**City Manager
Comments**

Mr. Vath noted that the South Hyatt Street sanitary sewer project is complete and restoration work has been done. He hoped detour signs would be removed within the next week. Mr. Vath thanked the public for their continued cooperation during the Streetscape construction work along Main Street.

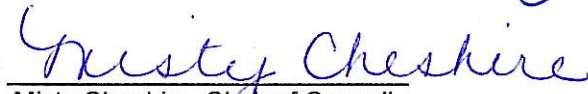
President Beagle noted that City Council would be holding a Study Session following the meeting to discuss AMP-Ohio generating stations, prairie state power and hydro electric power.

Adjournment

There being no further business, it was moved by Mr. Ochs, seconded by Mr. Hale, that the meeting be adjourned. The motion unanimously carried. President Beagle declared the meeting adjourned at 8:01 p.m.



William D. Beagle, President of Council

Attest: 

Misty Cheshire, Clerk of Council

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JULY 16, 2007

Study Session

Assistant City Manager Bradley C. Vath opened the Study Session at 8:08 p.m. on this date.

Roll Call

Council Members in attendance included: President William D. Beagle, Vickie K. Blakey, Rick Mains, Jr., Tim Evans, Mayor George H. Lovett, Donald H. Ochs, and Patrick Hale.

Others in attendance included: Joe Bagi, *Dayton Daily News* reporter Nancy Bowman, Utilities Director M. J. Eichman, Assistant Utilities Director Christy Butera, Mike Weadock, Scott Kieseeweeter, and Clerk of Council Misty Cheshire.

Discussion -

AMP Ohio
Generation Station
Prairie State Power
Hydro Electric Power

Mr. Weadock and Mr. Kieseeweeter discussed a new 1,000 MW base-load power plant project – the American Municipal Power Generating Station (AMPGS). According to a 20-year power supply needs analysis, additional base load resources are needed to meet growing energy demands. The proposed plant would use state of the art, proven clean coal technology using a fuel mix that includes Ohio coal to minimize emissions and ensure high operating efficiencies. All permits are scheduled to be filed in the coming months.

Mr. Weadock noted that AMPGS is an important component of the municipal electric system's efforts to control future power supply costs. Participating in the project will allow AMP-Ohio to provide affordable, reliable electricity for residential, commercial and industrial customers.

The proposed facility would be located near the Ohio River in southern Meigs County and would employ 150 workers. The facility would consist of a two unit power plant with two stacks, coal unloading facilities, a solid waste landfill, emissions control equipment, a substation and access roads. The plant is projected to be online in 2012 and will cost approximately \$1.5 - \$2 billion.

AMP-Ohio chose to pursue Powerspan technology as a backend emissions control system for the project. The multi-pollutant control technology, called Electro-Catalytic Oxidation (ECO) achieves outlet emissions levels at or below those of best available control technologies and produces a valuable fertilizer co-product instead of synthetic gypsum produced from traditional limestone scrubbing technologies, which must be landfilled. An additional 16 workers would be associated with the fertilizer operation. The ECO system would be designed with features that would allow for future expansions.

The plant and associated facilities would supply energy to 93 public power systems. A proposed transmission line, approximately five miles in length would connect the plant to the regional electric grid at a new substation located south of the Village of Racine.

Mr. Weadock then discussed other power sources that could provide a suitable energy blend for Tipp City in the future. The 1,580 megawatt Prairie State Power Plant located in Illinois is expected to be online in 2013. The Willow Island, Cannelton, and Smithland Hydro Electric Power Plants, located along the Ohio River, will be online in 2012. Mr. Weadock stated that participation in all three projects would diversify power supplies and help lower risk and costs.

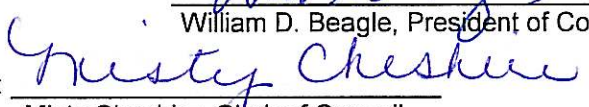
AMP-Ohio requested that the City adopt legislation authorizing AMP-Ohio to finance, construct, and operate, and own the AMPGS jointly with Blue Ridge Power Agency and Michigan Central Power Agency. A committee of participants will have both decision making and advisory roles and will support financing and refinancing of the AMPGS.

Adjournment

Mr. Eichman noted that an ordinance would be presented to City Council in August. The meeting adjourned at 9:31 p.m.


William D. Beagle, President of Council

Attest:


Misty Cheshire, Clerk of Council